



(citations omitted).

But this common law right of access is not absolute. “The common law right of access may be overcome by a showing of good cause, which requires ‘balanc[ing] the asserted right of access against the other party's interest in keeping the information confidential.’ ” Id. at 1246 (citations omitted, alterations in original).

Plaintiff has requested to file under seal certain documents provided to Plaintiff during discovery marked by Defendant as “CONFIDENTIAL” or “ATTORNEY EYES ONLY.” The presence of these markings alone merely indicates that Defendant has some interest in keeping the documents from the public’s access.<sup>1</sup> The good cause standard requires a more particularized showing of an asserted privacy interest. Accordingly, Plaintiff’s Motion is denied.

**SO ORDERED**, this the 12<sup>th</sup> day of January, 2010.

s/ *Hugh Lawson*  
**HUGH LAWSON, SENIOR JUDGE**

lmc

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<sup>1</sup> Because Defendant must assert a privacy interest in order for its documents to be filed under seal, it is the more suitable party to bring this Motion.

